

**Minutes of the Regular Meeting of the
Buena Vista Planning and Zoning Commission
August 18, 2010**

CALL TO ORDER

A Regular meeting of the Planning and Zoning Commission was called to order at 6:05 PM, Wednesday, August 18, 2010, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado by Chairwoman Baker. Present were Chairwoman Baker, Commissioners Ken Keller, Jed Selby and Bill Yinger, Town Planner Shannon Haydin, and Deputy Town Clerk Jennifer Dixon.

ROLL CALL

Deputy Town Clerk Dixon proceeded with the roll call and declared a quorum.

PLEDGE OF ALLEGIANCE

Chairwoman Baker led in the Pledge of Allegiance.

AGENDA ADOPTION

Chairwoman Baker called for amendments to the agenda. Commissioner Selby requested to add item "D" Discussion of Street Trees in town. **Motion #1** by Commissioner Yinger, seconded by Commissioner Keller, to adopt the agenda as amended. Motion carried.

Approval of the Minutes

Chairwoman Baker called for approval of the July 21, 2010 minutes. Commissioner Keller requested in motion #5 to add the wording "seconded by" **Motion #2** by Commissioner Yinger, seconded by Commissioner Keller, to adopt the minutes as amended. Motion carried. Commissioner Selby abstained.

PUBLIC COMMENT

Chairwoman Baker opened public comment at 6:07 p.m. with no public sign in to speak public comment closed at 6:07 p.m.

RESPONSE TO PUBLIC COMMENT

None Necessary

NEW BUSINESS

A. Colorado Center, Filing 1 Final Plat

Planner Haydin reviewed the staff report and the Colorado Center, Filing 1 Final Plat with the board.

Staff recommendations: The applicant is requesting a waiver to Section 17-29(D) (6) requires that the preliminary plat is submitted within one year of approval of the entire application is considered null and void. The applicant is requesting a waiver to this requirement for the following reasons:

- The preliminary plat was originally approved in 2007 and recorded in 2009. The applicant submitted an application for a final plat in October of 2008, but was asked to hold off on review pending further negotiations with the Town regarding off-site improvements.

Staff supports this request for the following reasons:

- The code that the application is currently being reviewed under has not changed since their original approval.

- Requiring the applicant to begin the process again would not result in a new net outcome; the new review would be merely an administrative process that does not provide any additional value to the Town.

After discussion the following motion was made.

Motion #3 by Commissioner Selby, seconded by Commissioner Yinger, to recommend approval to the Board of Trustees of the Colorado Center as amended with the following staff conditions. Motion Carried

1. A will serve letter from Buena Vista Sanitation is obtained.
2. All redline comments from Town Engineer and forwarded to applicant on Friday, August 6, 2010 are addressed prior to recordation of the Final Plat.
3. Any additional conditions requested by referral agencies not yet responding.
4. The Town Tree board reviewed the landscape plan design and had the following comments:
 - a. Street tree spacing should be at 30 ft instead of the proposed 100 feet spacing with Deciduous trees such as Poplar, Cottonwood or Ash that grow to a height of 40 feet.
 - b. Irrigation systems should be detailed for the landscapes.
 - c. Planting species should be diversified and identified prior to planting.
 - d. Planting along the unpaved streets while an MgCl₂ application for dust control is being applied, will be a detriment to the trees. Suggest planting after street is paved.
 - e. Visitor rest stop/parking lot should drain into the drainage basins.
5. Needs to consider additional street light at the intersection of the new Gregg Drive alignment. Along with a stop sign and a street sign. Someday this intersection should be renamed to College Avenue and Gregg Drive.
6. Sheet F 1-2 drainage; instead of the proposed 18 inch CMP from detention pond #2 to pond #1, an open drainage ditch, or curbing should be constructed.
7. Newhart-Surface Preparation Technologies need to be provided with an access/driveway.
8. When would the paving of the section of Gregg Drive within Filing 1 including the re-alignment to CR 319 be required?

B. An Ordinance of the Town of Buena Vista, CO, Amending Section 16 of the Buena Vista Municipal Code pertaining to setbacks for accessory structures.

Planner Haydin presented the staff report and explained that this is an issue coming up with sheds needing to meet the same setbacks.

After discussion, Planning and Zoning recommended to table this issue for further review and revisit it during the next meeting.

Planner Haydin stated this is posted for public hearing and will go before the Board of Trustees on August 24, 2010. She will convey the Planning and Zoning's concerns in her staff memo to the Board of Trustees.

Motion #4 by Commissioner Keller, seconded by Commissioner Yinger, to recommend tabling this issue for further review until September 1, 2010. Motion Carried

Public Comment for Colorado Center

Ron Southard public comment regarding Colorado Center

Mr. Southard had a conversation with someone today requesting small lots 20,000 square feet. There is interest in his area because of the location to the airport. There are discussions with the college regarding adding classroom and museum space. There also is some interest in this as a spec building.

C. An Ordinance of the Town of Buena Vista, CO Permitting Tire or Windshield repair or Replacement Operations and Oil changes Operations in the B-1 zone District.

Planner Haydin presented her staff report and stated that this was under the direction of the Board of Trustees to clean up and clarify current code. The Town Attorney wrote this ordinance.

One suggestion is to change the current locations of the oil change operations to B-2; however, there was concern regarding changing the existing neighborhoods and that there could be a full-blown auto shop.

The Commission had a concern that if the code was changed to the B-1 that there could be oil change businesses on East Main Street and Cedar Street.

There was a suggestion to amend the code to require a special use. The commission was concerned that would not be denied. The Commission also had concern adding this code to B-1 at all. There was a suggestion to amend the code to make is special use and expressly prohibit it on East Main Street or residential areas.

The Planner went over the suggestions offered by the Town Attorney.

The following motion occurred after discussion:

Motion #5 by Commissioner Yinger, seconded by Commissioner Keller, to recommend not approving this ordinance to the Board of Trustees. Motion Carried

Planner Haydin will include in her staff memo the concerns of the Planning and Zoning Commission.

D. Discussion of Street Trees in town.

Commissioner Selby discussed street trees with the commission. This is to make the Town more walk-able, more aesthetic and benefits for the Town.

There was concern regarding changing our environment regarding trees. There is also concern of water shortage vs. water taps and their availability.

Planner Haydin suggested that Commission should choose someone to speak with the Tree Board. Commissioner Selby agreed to do so.

OLD BUSINESS

A. Zoning Code Update for Downtown

Reviewed the items presented by staff. There was a suggestion to see what staff can add to the budget and see if CU Denver planning students can assist.

B. Vacant Buildings Code

Staff discussed the Community Champion Summit put on by the Colorado Brownfield's and Colorado Inc. Their team problem will be the Texaco. There are two types of brown fields actual and perceived. Brown fields are contaminated sites. Sue Boyd, Shannon Haydin and Evelyn Baker will be the team.

The Planning and Zoning Commission would like Staff to review the legal options we have with vacant buildings in the Town of Buena Vista.

Commissioner Keller left the meeting at 8:32 p.m.

Staff wished for Planning and Zoning to review the ordinance before we presented it to the attorney for review for legal opinion.

There was also a suggestion to "premises" on page 143 change to "property"

CHAFFEE COUNTY REPORT

None

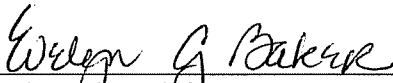
STAFF REPORT

Commission Yinger wanted to know what our authority is with the code vs. state authorizing. Chairwoman Baker would like their authority clarified by the Town Attorney.

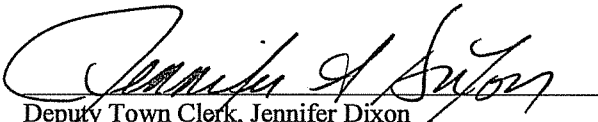
ADJOURNMENT

Motion #6 by Commissioner Selby, seconded by Commissioner Yinger, noting that there being no further business to come before the Board declared that the meeting be adjourned at 9:05 P.M. Motion carried unanimously.

Respectfully submitted:



Evelyn Baker, Chairwoman



Deputy Town Clerk, Jennifer Dixon